

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:13-cv-242**

AIX SPECIALTY INSURANCE COMPANY,)	
)	
Plaintiff,)	
)	
vs.)	<u>O R D E R</u>
)	
BIRD BRAIN, INC., WAL-MART STORES)	
EAST, LP, SANDRA PRESSLEY, DEAN)	
PRESSLEY and SUSIE W. GIBSON a/k/a)	
VIVIAN Y. GIBSON,)	
)	
Defendants.)	
)	

THIS MATTER is before the Court *sua sponte* to ascertain why the Plaintiff has not filed a motion for entry of default upon Defendant Bird Brain, Inc. and Defendant Susie W. Gibson a/k/a Vivian Y. Gibson. A review of the file in this matter shows that Defendant Bird Brain, Inc. and Defendant Susie W. Gibson a/k/a Vivian Y. Gibson have not filed answers to Plaintiff's Complaint and the time within which they were to file answer to Plaintiff's Complaint has expired. Counsel for Plaintiff shall be directed by the Court to respond in writing on or before February 24, 2014 as to the reasons why Plaintiff has not filed a motion for entry of default or file a motion for entry of default on the part of Defendants Bird Brain, Inc. and Susie W. Gibson a/k/a Vivian Y. Gibson.

ORDER

IT IS, THEREFORE, ORDERED that counsel for Plaintiff shall respond in writing on or before **February 24, 2014** as to the reasons why Plaintiff has not filed a motion for

entry of default or file a motion for entry of default on the part of Defendants Bird Brain, Inc. and Susie W. Gibson a/k/a Vivian Y. Gibson.

Signed: January 16, 2014

Dennis L. Howell

Dennis L. Howell
United States Magistrate Judge

